

## REMARKS

Claims 1, 5, 8, 10, 12, 19, 28, 30 – 32, 44 – 56 are rejected under 35 U.S.C. 102(e) as being inherently anticipated by U.S. Pat No. 6,476,834, herein Doval.

Claims 20, 22 – 26, and 57 – 62 are rejected under 35 U.S.C 103(a) as being unpatentable over Doval in view of U.S. Patent 6,226,739.

### Claims 1 and 28

Claims 1 and 28, as amended, require:

detecting a first sequence of one or more contacts caused by a user drawing a first drawing with a user-controlled object on the portion of the screen;

in response to detecting a first sequence:

    matching the first sequence to a particular action in a set of actions, and  
    performing the particular action;

detecting a second sequence of one or more contacts caused by the user drawing a second drawing with the user-controlled object on the portion of the screen;

in response to detecting a second sequence:

    matching the second sequence to a second action in a set of actions, and  
    performing the second action;

Claims 1 and 28 recite a novel approach for triggering actions using a graphical system. Each action is triggered by detecting contacts on a touch-sensitive screen caused by a user making several distinct drawings over a portion of a touch-sensitive screen, the portion displaying a graphic. While the cited art discloses triggering actions using a graphical system, the approach for triggering actions dramatically differs from the claimed approach.

Specifically, Doval teaches a system for creating graphical controls on the fly. The graphical controls, which are referred to as selectable items, include buttons, dials,

sliders, menus, and gauges. (col. 2, lines 27 – 29). A selectable item consists of a shape and text, both of which are input on a touch screen by the user using a pen or stylus. Once the selectable item is drawn by the user, the user selects the selectable item to trigger an action. (col. 4, lines 21 – 34, col. 5, lines 49 – 67)

This approach differs fundamentally from that claimed. Although a selected item must first be drawn before it can be used to trigger an action, only selecting the selectable item triggers an action. Thus, it is the detection of the selection of a selectable item, and not the drawing of it, that triggers an action. Claims 1 and 28, on the other hand, require triggering an action in response to detecting a drawing, and, in particular, contacts caused by a user drawing a drawing.

Based on the foregoing, claims 1 and 28 fail to suggest much less disclose all the limitations of claims 1 and 28. Therefore, claims 1 and 28 are patentable.

### **Pending Claims**

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.

For the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied.


Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: January 6, 2004

  
\_\_\_\_\_  
Marcel K. Bingham, Reg. No. 42,327

1600 Willow Street  
San Jose, California 95125-5106  
Telephone No.: (408) 414-1080  
Facsimile No.: (408) 414-1076

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on 1/6/04 by Trudy Bagdon